

DISTRICT V ADVISORY BOARD
Revised Minutes
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June 9, 2004
7:00 p.m.

Auburn Hills Golf Course Clubhouse
443 S. 135th West

The District V Advisory Board meeting included attendance by seven District Advisory Board Members and six City Staff. Approximately 25 members of the public were present with 15 signing the signup sheet.

Members Present

David Almes
Bob Bulman
David Dennis
Maurice Ediger
Andy Johnson
DeAnn Sullivan
Ann Welborn
Council Member Bob Martz

Staff Present

Officer Steve Wertz, Police
Kurt Schroeder, Central Inspection
Bill Longnecker, Planning
Rob Younkin, Public Works
Scott Logan, Public Works
Dana Brown, City Manager's Office

Members Absent

Sean Cash
John Marker
Steve Winslow

Guests

Listed on last page

ORDER OF BUSINESS

Call to Order

Bob Martz, City Council Member, called the meeting to order at 7:05. Council Member Martz welcomed the public and explained the purpose of the District Advisory Board (DAB) as being a citizen advisory group for him in actions taken during City Council Meetings. He said the role of the DAB was to listen to public input and then make recommendations on agenda items. Council Member Martz said he always provided an opportunity for everyone to speak their comments but asked that the audience be respectful of one another and try not to repeat a point that was previously made by another person.

Approval of Minutes and Agenda

The minutes for May 3, 2004 were approved with corrections by a unanimous vote of 7:0 (**Almes/Johnson**). The agenda for the June 9, 2004 meeting was approved as presented.

Public Agenda

This portion of the agenda provides an opportunity for citizens to present items not shown as part of the regular meeting agenda.

An item presented from the floor for the Public Agenda was concern about changes to residential zoning and protective overlays in the area of Maple & 135th Streets. **William Behrens, 381 S. Limuel Court**, addressed the Board about the non-residential development in the area and stated that negative impacts such as light pollution, noise pollution, and traffic would result. He said that he spoke for many residents in the area who believed that the value of their homes would be decreased. Behrens provided a handout addressing his concerns and identifying several of the changes made

including administrative adjustments allowed for the Dillons property, which has a protective overlay. Council Member Martz thanked Behrens and said that the information in the handout would be reviewed and referred to staff for responses.

Action: No action required by the Board.

Staff Presentations

Community Police Report

Community Police Officer David Wertz, Beat 16, which covers Harry to West and Maple to Ridge Road to the Big Ditch, reported that auto larcenies continued in all beats in the district. Officer Wertz encouraged people to park their cars in their driveways or garages, if at all possible, as the cars receiving damage appeared to mostly be parked in the street. He also said that lighting helps discourage crimes. Approximately 10-15 officers were now assigned to 3rd & 4th shifts but they still had limited surveillance due to the size of the district, Wertz stated.

Officer Wertz reported that other crime statistics had been reduced and that citizen involvement had helped with this reduction. He encouraged neighborhoods to organize a *Neighborhood Watch* for protection of their area. Officer Heather Frazier with Community Affairs handles that program and would be glad to help a group of neighbors form the watch. Residents could contact the West Bureau or the Community Affairs Bureau.

A **member of the public** asked about the age of the perpetrators to which **Wertz** said probably high school with school being out for the summer. He said the crimes seem to be most frequent on Sunday, Thursday, & Friday nights.

Wellborn asked for clarification of the use of motorized scooters on the street saying that two young people of approximately 10 and 14 years old in her neighborhood had new scooters and were riding them in the street. She was concerned about their safety. **Wertz** said that the scooters were not legal on the street, only on private property with the owner's permission.

Action: Receive and file

New Business

Off-site Billboard Regulation

Kurt Schroeder, Office of Central Inspection, referred to several points of information in the agenda report and a summary of off-site billboard regulations in explaining current issues associated with billboards. The item was presented to the District Advisory Boards as an effort to obtain input and policy direction for City Council regarding off-site billboard signs. Schroeder explained that due to numerous complaints about several large off-site billboard signs legally permitted and erected, the City Council had passed a 4-month moratorium at the May 4, 2004 Council meeting for "processing of certain off-site sign permits" to provide time for further study on how to improve sign regulations.

Schroeder referred to details provided about the current regulations for off-site billboards provided in a summary that included zoning classification requirements, allowed size and height, prohibited locations, and maximum number allowed in 1 mile. He reported that 6-10 billboard-size signs are approved each year with a current total of approximately 300 in Wichita, each in compliance with all Sign and Zoning Code requirements that control the placement and location of off-site billboard signs.

About 27-28 of the 300 total are located in District V with about 40-60 in the other districts. Two large billboard signs had produced numerous complaints—one in District V at 21st & Tyler and another in District II at 21st & Webb. The sign at 21st & Tyler was associated with a building permit for an office in an area zoned Limited Commercial with a CUP (Conditional Unit Plan) including a Protective Overlay that further restricts underlying zoning for both allowed uses and aesthetics. These signs were erected in areas of commercial and office development primarily surrounded by residential neighborhoods.

With no questions from the Board, **Council Member Martz** asked the public for any questions/or comments. Members of the public asked several questions &/or made comments:

- **Behrens** asked if billboard signage was limited to the number of faces with regard to traffic direction. **Schroeder** said either side of the sign facing traffic direction is allowed.
- **Behrens** asked if an Administrative Adjustment provision existed to which **Schroeder** said yes, for Protective Overlays and Planned Unit Developments (PUD) but not for a CUP—conditions cannot be amended.
- **Behrens** asked if lighting restrictions existed. **Schroeder** said they did in certain areas.
- **Doug Shoen, Clear Channel representative**, said he had removed a number of billboards from the river.

Schroeder reported the DAB II suggestions:

1. Restrict the regulated size with an option of a process for requesting a larger size but with few exceptions
2. Use Conditional Use
3. Allow for only a 1:1 replacement
4. Remove CUP or LC including no allowance for permitting within 500 linear feet from residential area

Board Members commented that they would not allow an administrative adjustment to change size (**Sullivan**) and that the current allowance is too close to residential areas (**Marker**). A question was asked about a citizen's ability to follow the process of a zoning case to which Schroeder said that the City's website section for Permits provided information for following a case.

Action: Include comments regarding Billboard Regulations for consideration of changes.

Planning Agenda

Zoning Request 2004-00021 - South of Maple & east of 135th Street

Bill Longnecker, Planning, presented a request for a zone change for 8.6 acres located approximately 760 feet south of Maple on the east side of 135th Street West from "GO," General Office & "LC" Limited Commercial with a protective overlay to "MF-29," Multi-Family Residential to provide limited commercial development & an office park.

Longnecker noted that the Auburn Hills Golf Course is west of the subject parcels with separation by 135th Street. Residential areas lie to the east of the parcels and commercial and office on the north side. Longnecker said staff believed the request overall meets the intent of the Far West Side Commercial Development Policy although acreage for both residential and non-residential areas exceeds the policy. He said the recommended approval is based on current development patterns at the intersection and is appropriate. The approval is associated with Protective Overlay #140.

Terry Smythe, Baughman Engineering & agent for the property owner, stated that the Far West Plan was an attempt to establish locations for commercial areas to allow zoning to fall into place. With the Kellogg flyover, the NW By-pass, and rapid development, the General Commercial zoning

caused this intersection to become prime area as market reaction. Smythe said the property owner is requesting Limited Commercial on the front of 135th Street that could easily be used as food service or a golf-oriented business and that the General Office is a normal transition from Residential.

Residents expressed support for the General Office zoning, including the President of Auburn Hills Homeowners Association that lies south of the subject area. Another resident provided a handout explaining his protest to the requested zoning of General Office on Parcel #2 which abuts his property. His main concern was height of the building and uses oriented to “urban service areas” in contrast to Neighborhood Office, which allows uses appropriate to residential neighborhoods. He supported the General Office re-zoning with several limitations on exterior lighting and building height and specifics related to masonry wall and permitting administrative adjustments with residential notification and approval of the Planning Commission and DAB V.

DAB Members asked questions about the height of buildings allowed in General Office; screening requirements; concerns about golf balls from the course; dimensions of the two parcels; and, issues related to administrative adjustments for the commercial area including the Dillons store to the north of the subject area. All questions except the administrative adjustments for Dillons were answered satisfactorily. Several concerns were noted for lighting including type and height, height of buildings, and the need to notify adjacent residents if adjustments to the protective overlay are considered once established.

Action: The District Advisory Board recommended by a vote of 7: 0 that the request be approved with staff’s recommendations for full cut exterior lighting, limit of 14’ height of light poles, limit of 35’ for building height, and notification of area residents regarding any requests for administrative adjustments.

Public Works Agenda

Proposed Sanitary Sewer System

Rob Younkin, Public Works, presented a petition to construct a sanitary sewer system along the east side of Byron Street, located south of Douglas & north of Maple between Tyler & Maize Road. Younkin said that property owners at 120, 150, & 200 S. Bryon are designated in the improvement district area. The signatures on the petition represent four of the six (66.67%) of the property owners and 66.67% of the improvement district. Statue Statutes allow a petition to be valid if signed by than a majority of resident property owners, or by owners of the majority of the property, in the improvement district. The area is currently served by private septic tank systems.

Younkin said the estimated cost of the project is \$30,000 with the total assessed to the improvement district area. With square foot basis being the proposed method of assessment, individual properties would be \$00.184 per square foot of ownership.

Members of the public spoke regarding the petition. **Henry Harvey, 120 S. Bryon**, said he was part of the improvement district designated and he was not happy about it. He said installed his own sewer in 1971 and has been satisfied with its service since then. He said he couldn’t afford to pay for sanitary sewer. He did wonder, however, why his area couldn’t hook up to the sewer across the street.

Larry Ryan, 150 S. Byron, said he had talked with Harvey and the City several times to examine how the City might handle and Mr. Harvey was not satisfied with any of the considerations. Ryan said that if he could afford it, he would pay Mr. Harvey’s portion but he couldn’t.

Council Member Martz said that Harvey might qualify for deferment on the project if he was income eligible. **Younkin** didn't know the figures for income eligibility but said he would work with Harvey in determining whether Harvey was eligible. The other point made by **Council Member Martz** was that typically the cost given for a project is estimated high at this stage.

Harvey asked why only three property owners were included to which **Council Member Martz** in turn asked Younkin. **Younkin** said the lines are drawn as most feasible for the situation. **Ryan** said the city should know that an easement exists across Henry's property. **Younkin** said that the City would ask the property owner to grant the easement but if the property owner did not agree, the City would need to purchase the property and add that amount to the project cost.

Mrs. Harvey said it seemed that it would be easier to build from the Tyler line but **Younkin** said that sewer works on gravity and Tyler might not work. He said the proposed route was probably the nearest one available that would work. He further explained that the petition holder determines the improved area and that an order-in area is defined by the city based on risk of contamination to the residents for the area conditions.

Jackie Schlorch, 829 S. Elizabeth and daughter of the Harveys, expressed concern that her father and mother wouldn't qualify for the low-income deferral with an annual income of \$31,000. **Council Member Martz** asked Younkin to identify alternatives for this petition before it goes to Council and asked the Harveys or their daughter to contact Younkin for more information on the income eligibility deferment.

Marker asked if the area could be enlarged to which **Younkin** said not according to the conditions of an order-in vs. a petition.

Council Member Martz asked the Board Members if they would agree to deferring the item until the next meeting when Younkin could bring alternatives for constructing the line and other information be brought back to the meeting. The Board agreed.

Action: It was recommended that additional information on alternatives for location of the sewer line be brought to the next DAB V meeting.

Traffic Report for Zoo Boulevard/Westdale/I-235 Bypass

Scott Logan, Public Works Traffic Engineering, presented information on the results of a traffic study for this area. Logan noted that the area was heavily congested due to a critical intersection for people traveling west to east and vice versa. He said that improvements were made in 1999 but that a 25% increase in traffic numbers had occurred since that point in time. The increase has continued to produce traffic tie-ups as the current situation cannot move traffic fast enough through the area.

Council Member Martz asked why the traffic study did not include Windmill Road to which Logan said the County maintained the area of Windmill to Zoo and east to the Zoo Bridge. He said the main area of concentration was the intersection from Zoo to I-235 Bypass. Council Member Martz said he suggested that staff explore how a 13th Street Bridge might help.

Logan reviewed the report noting five alternatives for Construction & Revision and four alternatives for Signal Improvements. One of the short-term/low-cost improvements was to widen the northbound I-235 off-ramp to extend the dual left-turn lanes. **Bulman** suggested the City should prohibit left-turns on the Windmill approach onto Zoo during the afternoon rush hour periods. This was again pointed out as county authorized area.

It was indicated that the "red" lights for northbound traffic on Zoo be at the intersection appears to back up motorists into the I-235/Zoo intersections. **Council Member Martz** asked Logan to look at the striping on the intersection—that it doesn't appear to flow correctly from the ramp onto Zoo. He said with corrections to the striping, it may be possible to accommodate a triple left-turn lane conversion on the I-235 approach at the Zoo and Zoo/Westdale intersections. **Logan** responded that the triple left-turn lane design has been effective in other states but one does not exist in Kansas. He said that consideration would need to be given if this approach would cause bottlenecks further north on Zoo and hamper the I-235 turning flow. **Johnson** asked if adding a lane would just add more confusion but Logan said most people "train" themselves to use the lanes, as intended.

The **Board** asked Logan to further study the possibilities for the triple left-turn lane design in that intersection area.

Action: Board requested that further study be given for the triple left-turn lane design.

Board Agenda

Updates, Issues, and Reports

Reports given about activities, events, or concerns in the neighborhoods and/or District V.

Council Member Martz

Reminders were given by Council Member Martz for two upcoming meetings:

- **DAB V Workshop** – Tuesday, June 22, 7:00 p.m. at Auburn Hills Clubhouse
- **Public Meeting for Flood Control Update** – Thursday, July 8, 7:00 p.m. at Sedgwick County Extension Center, 21st & Ridge Road

DAB Members

The **Board** asked about any progress on speed tables to which **staff** said there is some consideration at this point to develop a citywide task force for the issue. The interest is due to traffic concerns in other areas where speed tables or similar traffic-calming alternatives may also be helpful.

Johnson asked about the 119th Street signalization to which **Council Member Martz** said the funding for it is in the 2004 CIP Budget/list of projects.

Almes asked about when the roadwork was to begin on 13th Street between 119th and 135th Streets. Staff will check the current status of the project.

Sullivan asked about the status of the Dell issue regarding a request to rezone. Council Member Martz said it's being investigated by the court and appears that the signature of notary on the petition was not valid.

Johnson asked about the requirements for screening storage area allowed for the vehicle body shop on Ridge, just past 21st Street. Staff will ask Central Inspection to check on it.

Sullivan noted the concerns and apparent confusion about administrative adjustments, wondering how they work. **Council Member Martz** said this is an on-going issue for Protective Overlays in zoning different areas. Some of it may be confusion due to terminology it but should be further examined.

Recommended Action: Staff will follow up on noted items.

In addition to the meetings noted by Council Member Martz above on the Board Agenda, the next regular meeting for District Advisory Board V is scheduled at Auburn Hills Clubhouse at **7:00 p.m. on July 12, 2004.**

The meeting was adjourned at approximately 10:30 p.m.

Respectfully Submitted,

Dana Brown, Neighborhood Assistant
City Council District V

Guest List:

Bruce Bachelder, 2417 Walden #402, 67226
William Behrens, 381 S. Limuel Ct.
Don Cable, 777 N Silver Springs Blvd, 67212-6056
Jerry Decker, 509 Sandtrap Ct., 67235-8024
Clete Dold, 2185 Breezy Point Cir., 67235-1427
Jim Germolus, 168 SS. Maple Dunes Ct., 67235
Henry Harvey, 120 S. Byron, 67209
Don Kersting, Wichita Fire Dept.
Chuck and Linda Parsons, 11318 W. Murdock, 67212
Larry Ryan, 150 Byron, 67209
Jackie Schlorch, 829 S. Elizabeth, 67213
Doug Schoen, 229 N. Clarence, 67203-5731
T. Smythe, Baughman Co.
Monica Vashan, 10614 Meribeu Ct., 67212-5956